

Message Text

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ACTION ARA-10

INFO OCT-01 IO-10 ISO-00 OFA-01 L-03 DLOS-04 PA-02 PRS-01

USIA-15 CIAE-00 INR-07 NSAE-00 INT-05 EB-07 SS-15

NSC-05 SP-02 PM-04 DODE-00 H-02 TRSE-00 /094 W

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R 181812Z SEP 75

FM AMEMBASSY NASSAU

TO SECSTATE WASHDC 7237

INFO COCG WASHDC

COCG SEVEN MIAMI

USDOC WASHDC

USMISSION GENEVA

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COMMERCE FOR WALLACE

USMISSION GENEVA FOR LOS DEL

E.O. 11652: N/A

TAGS: EFIS BF

SUBJ: SPINY LOBSTER: STATEMENTS RE NEGOTIATIONS

1. FOLLOWING IS NOTE NO. 163, RECEIVED AT THE EMBASSY ON
SEP. 18, FROM THE GCOB MINEXTAFF:

QUOTE: (COMPLIMENTARY OPENING) HAS THE HONOUR TO INVITE THE
EMBASSY'S ATTENTION TO THE ISSUES APPEARING IN THE NEWS MEDIA
OF OUR RESPECTIVE COUNTRIES, AS LISTED BELOW, ALL OF WHICH APPEAR
TO BE RELATED TO THE SOVEREIGN ACT OF THE COMMONWEALTH OF THE
BAHAMAS, IN DECLARING THE BAHAMIAN SPINY LOBSTER A RESOURCE
OF THE CONTINENTAL SHELF APPURTENANT TO THE COMMONWEALTH OF
THE BAHAMAS IN ACCORDANCE WITH INTERNATIONAL LAW: THE RECENT
DISCUSSIONS BETWEEN OUR RESPECTIVE GOVERNMENTS IN RESPECT OF
THE SPINY LOBSTER RESOURCE, AND THE INACCURATE AND FALSE STATE-
MENTS REGARDING BAHAMIAN DEMANDS, ALLEGEDLY MADE BY A MEMBER
OF THE UNITED STATES DELEGATION TO THE RECENT BI-LATERAL DIS-
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CUSSIONS AND THE PROVOCATIVE REMARKS ALLEGEDLY MADE BY AN ADVISER

TO THE UNITED STATES DELEGATION.

THE MINISTRY WISHES TO RECORD THAT ITS VIEW OF THE OBLIGATIONS INCUMBENT UPON THE EMBASSY'S GOVERNMENT BY VIRTUE OF CUSTOMARY INTERNATIONAL LAW, IS THAT THE EMBASSY'S GOVERNMENT IS OBLIGED TO TAKE ALL REASONABLE CARE AND TO EXERCISE DUE DILIGENCE TO PREVENT THE OCCURRENCE OF THE ACTS OF VIOLENCE AS REPORTEDLY THREATENED IN OUR RESPECTIVE NEWS MEDIA BY FISH-ERMEN BASED IN THE STATE OF FLORIDA AND OPERATING FROM SHIPS REGISTERED IN THE UNITED STATES OF AMERICA AND IN PARTICULAR THE THREATS OF VIOLENCE AND RESORT TO CRIMINAL ACTS ALLEGEDLY MADE BY ONE OF THE ADVISERS TO THE U.S. DELEGATION.

FOR EASE OF REFERENCE, THE MINISTRY HAS CATEGORISED THE MATERIAL FROM THE NEWS MEDIA AS FOLLOWS:

- (A) STATEMENTS ATTRIBUTED TO PERSONS HAVING OFFICIAL CONNECTION WITH THE UNITED STATES DELEGATION TO THE RECENT DISCUSSIONS;
- (B) STATEMENTS ATTRIBUTED TO PERSONS HAVING OFFICIAL CONNECTION WITH THE CUBAN AMERICAN ORGANISED FISHERMEN (CAOF);
- (C) STATEMENTS ATTRIBUTED TO PERSONS HOLDING OFFICE WITH THE STATE OF FLORIDA;
- (D) STATEMENTS ATTRIBUTED TO MEMBERS OF THE FLORIDA BASED CUBAN AMERICAN FISHERMEN OR BY SYMPATHISERS OF THIS GROUP.

SOME OF THESE STATEMENTS RELATE TO THREATENED VIOLENT ACTS AND TO VIOLENT ACTS AGAINST BAHAMIAN PROPERTY IN THE STATE OF FLORIDA, AS IN THE CASE OF THE BOMBING OF THE GOLDFINGER II, OR ECONOMIC REPRISALS AGAINST THE BAHAMAS OR THREATS OF VIOLENT ACTS AGAINST BAHAMIAN PROPERTY OR THREATS OF COLLECTIVE AND ORGANISED DEFIANCE OF BAHAMIAN LAW AND THE TERRITORIAL INTEGRITY OF THE BAHAMAS BY FORCE AND USE OF ARMOUR IN THE COMMONWEALTH OF THE BAHAMAS AGAINST BAHAMIAN NATIONALS AND BAHAMIAN LAW ENFORCEMENT OFFICERS IN THE AREAS OF THE CONTINENTAL SHELF APPURTENANT TO THE COMMONWEALTH OF THE BAHAMAS.

WITH REGARD TO STATEMENTS FALLING UNDER CATEGORY (A) THE MINISTRY REFERS THE EMBASSY TO THE FOLLOWING:

- (I) STATEMENTS REPORTEDLY MADE BY MR. JOSE PUJOL, ADVISER
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TO THE UNITED STATES DELEGATION TO THE RECENT DISCUSSIONS IN THE FOLLOWING NEWS MEDIA:

WALL STREET JOURNAL OF AUGUST 15, 1975 'IT MAY TAKE A BOYCOTT OF THEIR SHIPPING LIFE LINES TO SPEED NEGOTIATIONS ALONG. "I AM A MAN OF ACTION NOT A DIPLOMAT" HE SAYS, MR. PUJOL, 45, WAS A HARBOUR PILOT AND PORT SUPERVISOR IN PRE CASTRO CUBA. HE SAYS HE HAS LED AND COMPLETED 50 INTELLIGENCE MISSIONS INTO

CUBA FOR THE CIA.'

(II) MIAMI HERALD SEPTEMBER 9, 1975 P.3B 'JOSE PUJOL, PRESIDENT OF THE CUBAN AMERICAN ORGANISED FISHERMEN, THREATENED "MILITANT ACTION" IF THE LOBSTER BAN IS NOT RELAXED ALTHOUGH HE DID NOT GO INTO SPECIFICS. "WE WILL DEFY THE LAW IF NECESSARY" PUJOL SAID, "WE WILL ALSO, IF NECESSARY, GO FISHING ARMED TO THE BAHAMAS, BUT WE WILL NOT STARVE".'

(III) SIMILAR STATEMENTS HAVE BEEN MADE BY MR. PUJOL PUBLICISED ON MIAMI FLORIDA AIRED TELEVISION PROGRAMMES AND THE INTELLIGENCE OF THE MINISTRY INDICATES THAT MR. PUJOL IS THE MOST ACTIVE AND MILITANT AGENT PROVOCATEUR WHO HAS TAKEN THE PRINCIPAL PART IN THE ORGANISATION OF AN ARMED SORTIE INTO THE BAHAMAS.

WITH REGARDS TO THE STATEMENTS FALLING UNDER CATEGORY (B) THE FOLLOWING STATEMENTS HAVE BEEN ATTRIBUTED TO MR. MANUEL FRANCO, PRESIDENT OF THE CUBAN ORGANISED FISHERMEN (CAOF) AS REPORTED IN THE FOLLOWING NEWS MEDIA:

(I) MIAMI HERALD, SEPTEMBER 10, 1975 P.3B 'CUBAN-AMERICAN ORGANISED FISHERMEN OF FLORIDA PLAN TO SAIL 70 TO 80 BOATS, ARMED WITH GUNS AS WELL AS LOBSTER FISHING EQUIPMENT, INTO INTERNATIONAL WATERS THIS WEEK, PRESIDENT MANUEL FRANCO SAID TUESDAY. THE U.S. COAST GUARD, HE SAID, WILL HAVE TO TAKE SIDES EITHER WITH THE FISHERMEN WHO HAVE BEEN DEPRIVED OF A LIVELIHOOD SINCE THE BAHAMIAN GOVERNMENT OUTLAWED THEIR FISHING ON THE BAHAMIAN BANKS, OR IN FAVOUR OF THE "FOREIGNERS WHO DISCRIMINATE AND WANT TO DEPRIVE US OF OUR LIVELIHOOD".'

(II) NASSAU DAILY TRIBUNE, SEPTEMBER 10, 1975, FRONT PAGE
'THE PRESIDENT OF THE CUBAN ORGANISED FISHERMEN WARNED TUESDAY THAT HIS GROUP IS BUYING WEAPONS AND PLANS TO CONTINUE FISHING
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FOR LOBSTER ALONG THE BAHAMIAN CONTINENTAL SHELF.

MANUEL FRANCO, PRESIDENT OF THE CAOF, SAID TUESDAY THAT A MAJORITY OF THE GROUP'S MEMBERS HAVE DECIDED TO FORM FLOTILLAS TO PROTECT NON-BAHAMIAN FISHERMEN FROM BAHAMIAN PATROL BOATS.

"WE PLAN TO SAIL 70 TO 80 BOATS LATER THIS WEEK AND WE ARE GOING INTO INTERNATIONAL WATERS", FRANCO SAID. "IF THE BAHAMIANS

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FM AMEMBASSY NASSAU

TO SECSTATE WASHDC 7238

INFO COCG WASHDC

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USDOC WASHDC

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WANT TO INTERFERE WITH LAWFUL FISHING IN THOSE OPEN WATERS
THEN IT WILL BE THEY WHO STARTED THE PROBLEM".'

WITH REGARDS TO THE STATEMENTS FALLING UNDER CATEGORY (C)
THE FOLLOWING HAVE BEEN ATTRIBUTED TO MR. HARMON W. SHIELDS,
EXECUTIVE DIRECTOR, FLORIDA DIVISION OF NATURAL RESOURCES,
AND A MEMBER OF THE UNITED STATES DELEGATION TO THE RECENT
BI-LATERAL DISCUSSIONS AS QUOTED IN THE FOLLOWING NEWS MEDIA:

(I) MIAMI HERALD, AUGUST 20, 1975 UNDER THE CAPTION "LOBSTER
TALKS PROGRESSING WELL? BAHAMIAN, STATE OFFICIAL DISAGREE"
(FLORIDA REPORT) 'SHIELDS SAID IN TALLAHASSEE, WHERE HE IS
FOR A ONE DAY BREAK IN THE WEEK-LONG TALKS, THAT FLORIDA LOBSTER
FISHERMEN MAY BE ABLE TO RETURN TO BAHAMIAN WATERS "IN A FEW
DAYS" UNDER AN INTERIM AGREEMENT. BUT HE ADDED THAT THE BAHAMIAN
GOVERNMENT IS MAKING LONG RANGE DEMANDS THAT WILL BE HARD TO
MEET.'

(II) NASSAU DAILY TRIBUNE, AUGUST 22, 1975 UNDER THE CAPTION
"TALKS DELAYED AS WASHINGTON IS CONSULTED" 'BUT IN AN INTERVIEW
WITH THE ASSOCIATED PRESS SHIELDS HINTED THAT THERE WAS "A
MAXIMUM PRICE THAT WE COULD PAY" FOR THE LOBSTER RESOURCE
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THAT IS REPORTEDLY WORTH DOLS 5 TO DOLS 6 MILLION.'

(III) NASSAU DAILY TRIBUNE, AUGUST 28, 1975 UNDER THE CAPTION "US TALKS DELEGATE HITS AT 'INSINCERE' BAHAMIANS 'A FLORIDA OFFICIAL WHO WAS AN AMERICAN DELEGATE TO THE LOBSTER TALKS WHICH COLLAPSED YESTERDAY, CHARGED TODAY THAT BAHAMIAN NEGOTIATORS WERE INSINCERE AND TURNED DOWN A DOLS 6 MILLION OFFER "IN SERVICES AND OTHERWISE". "IT'S APPARENT TO ME NOW THAT THEY DID NOT WANT TO LISTEN TO US IN THE FIRST PLACE", HARMON SHIELDS, FLORIDA STATE NATURAL RESOURCE DIRECTOR SAID IN AN INTERVIEW WITH THE ASSOCIATED PRESS, "THEY JUST WANTED TO HEAR WHAT WE HAD TO OFFER AND THEN GO TALK TO CASTRO".'

"...AFTER THE AMERICANS REFUSED A BAHAMIAN REQUEST FOR ECONOMIC ASSISTANCE", HE SAID THE BAHAMIANS THEN ANNOUNCED THEY PLANNED TO DISCUSS FISHING RIGHTS WITH OTHER COUNTRIES INCLUDING CUBA AND JAMAICA.'

WITH REGARDS TO STATEMENTS FALLING UNDER CATEGORY (D) THE FOLLOWING HAVE BEEN ATTRIBUTED TO MEMBERS OF THE FLORIDA BASED CUBAN FISHERMEN AND THOSE SYMPATHETIC TO THEM, AS APPEAR IN THE NEWS MEDIA AS INDICATED.

(I) NASSAU DAILY TRIBUNE, JULY 17, 1975 UNDER THE CAPTION "MIAMI LOBSTERMEN BOIL AT BAHAMAS" 'MEANWHILE SOME LOBSTERMEN, ACCORDING TO THE MIAMI HERALD, HAVE VOWED TO PACK GUNS TO DEFEND THEIR BOATS, MANY OF THEM BEING DEPENDENT OF FISHING FOR THEIR LIVELIHOOD.'

(II) MIAMI HERALD, AUGUST 28, 1975 P.1 UNDER THE CAPTION "US OFFICIALS BLAME NASSAU IN LOBSTER TALKS BREAKDOWN" 'AN ANNOYMOUS CALLER WHO IDENTIFIED HERSELF AS "JAWS" TOLD REPORTERS THAT THE ACT WAS IN "RETALIATION FOR THE ATTITUDE WHICH HAS BEEN TAKEN BY THE GOVERNMENT OF THE BAHAMAS TOWARD AMERICAN FISHERMEN".'

(III) NASSAU DAILY TRIBUNE, SEPTEMBER 1, 1975 UNDER THE CAPTION "STRICT SECURITY AT ZNS AFTER 'CUBAN THREATS'" 'RADIO BAHAMAS WAS UNDER TIGHT SECURITY TODAY FOLLOWING THREATS MADE ALLEGEDLY BY CUBAN AMERICAN INTERESTS TO DESTROY THE STATION ATOP COLLINS AVENUE.'

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JAN INFORMED SOURCE CONFIRMED THAT THE THREATS BEGAN ABOUT A MONTH AGO, THE SAME TIME AS THE BAHAMAS GOVERNMENT PUT A BAN ON FOREIGN LOBSTER FISHING ALONG WITH THE BAHAMIAN CONTINENTAL SHELF.'

THE MINISTRY IS CONSTRAINED TO OFFER ITS OBSERVATIONS ON STATEMENTS FALLING UNDER CATEGORY (C), WHICH ALLEGEDLY WERE

MADE BY A MEMBER OF THE UNITED STATES DELEGATION. THE EMBASSY IS NO DOUBT AWARE OF THE INACCURACIES OF THESE STATEMENTS AS THEY RELATE TO THE DISCUSSIONS HELD BETWEEN REPRESENTATIVES OF OUR RESPECTIVE GOVERNMENTS. YET, HOWEVER, THE MINISTRY IS UNAWARE OF ANY ATTEMPTS BY THE EMBASSY TO CLARIFY OR TO DENY THESE REPORTS WHICH STATEMENTS APPEAR TO HAVE BEEN CALCULATED TO ADVERSELY AFFECT THE OTHERWISE CORDIAL AND CLOSE RELATIONSHIP AND TRADITIONAL FRIENDSHIP BETWEEN THE PEOPLES OF OUR TWO COUNTRIES.

WITH REFERENCE TO THE BOMBING OF THE BAHAMIAN REGISTERED SHIP, THE MV GOLDFINGER II WHICH WAS BOMBED IN THE MIAMI RIVER ON WEDNESDAY, AUGUST 27, THE MINISTRY REQUESTS THAT THE EMBASSY KEEP IT INFORMED OF THE EFFORTS OF THE AUTHORITIES OF THE STATE OF FLORIDA TO APPREHEND AND PROSECUTE THOSE PERSONS RESPONSIBLE FOR THIS CRIMINAL ACT UPON BAHAMIAN PROPERTY IN THE STATE OF FLORIDA. (COMPLIMENTARY CLOSE). UNQUOTE.

2. EMBASSY COMMENTS AND DRAFT RESPONSE FOLLOW SEPTTEL.
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Message Attributes

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